

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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Telecommunications Relay Services and  
Speech-to-Speech Services for Individuals  
with Hearing and Speech Disabilities

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CG Docket No. 03-123

**COMMENTS OF AT&T CORP.**

Pursuant to Section 1.415 of the Commission's Rules, 47 C.F.R. § 1.415, and the Commission's *TRS FNPRM*, FCC 04-137, released June 30, 2004,<sup>1</sup> AT&T Corp. ("AT&T") submits these comments on: (1) what types of mechanisms could be used to determine which Internet Protocol Relay Service ("IP Relay") and Video Relay Service ("VRS") calls are interstate and which are intrastate; (2) whether these services should become mandatory forms of Telecommunications Relay Service ("TRS") available 24/7; and (3) what is the proper compensation scheme for these services. AT&T recommends that the Commission should *defer* consideration of these issues until it resolves its Notice of Proposed Rulemaking for *IP-Enabled Services*, WC Docket 04-36, 19 FCC Rcd. 4863 (2004) ("*IP NPRM*").

In the *IP NPRM*, the Commission is actively considering a broad range of issues related to the proper regulatory treatment of IP-enabled services, including their

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<sup>1</sup> Report and Order, Order on Reconsideration and Further Notice of Proposed Rulemaking, *Telecommunications Relay Services and Speech-to-Speech Services for*

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jurisdictional treatment and whether such services should be considered interstate. *Id.*

¶¶ 38-41. In the *TRS FNPRM*, the Commission raises question with respect to whether and how to determine which IP Relay and VRS calls are interstate and which are intrastate, so that the Interstate TRS Fund compensates only for the provision of interstate calls. *Id.* ¶¶ 221-230, 241-242.

As the Commission acknowledges, there is at present no way to determine the geographic location of the Internet-based leg of IP Relay or VRS calls, and therefore no way to determine whether a particular call is interstate or intrastate. *TRS FNPRM* ¶¶ 221-222, 242. Because these jurisdictional issues are inextricably tied to conclusions about IP-based services that the Commission will need to decide in the *IP NPRM*, the Commission should *not* now expend resources to decide these matters solely for Internet-based TRS services. Rather, the Commission should focus its resources on concluding the *IP NPRM* and defer resolution of these issues for Internet-based TRS services until *after* the *IP NPRM* is resolved. Moreover, because compensation for IP Relay and VRS are tied to their jurisdictional status (*TRS FNPRM* ¶¶ 223, 230-232, 244), and because it is unclear whether the Commission has authority to order states to provide these services, to the extent they may be deemed intrastate, but non-mandatory, the Commission should decide jurisdictional treatment before addressing these other issues.

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(footnote continued from previous page)

*Individuals with Hearing and Speech Disabilities*, 19 FCC Rcd. 12475 (2004) (“*TRS FNPRM*”), published in 69 Fed. Reg. 53382 (Sept. 1, 2004).

**CONCLUSION**

For these reasons, the Commission should defer consideration of the issues in the *TRS FNPRM* until it issues its jurisdictional ruling in the *IP NPRM*.

Respectfully submitted,

AT&T CORP.

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